

Appl. Serial No.: 10/623,189

Patent No.: 7,183,254 B2

Inventors: Alexander De Paoli, et al.

Filed: July 18, 2003

Title: USE OF LEPTIN FOR TREATING HUMAN
LIPOATROPHY AND METHOD OF
DETERMINING PREDISPOSITION TO SAID
TREATMENT

Confirmation No.: 3581

TC/A.U.: 1646

Examiner: O'Hara, Eileen B.

Attorney Docket No.: 1311US-CON

**PETITION FOR SUSPENSION OF RULES UNDER 37 CFR § 1.183 IN
CONNECTION WITH REQUEST FOR GRANT OF REQUEST FOR
CERTIFICATE OF CORRECTION UNDER 37 CFR §1.323 TO CORRECT
ASSIGNEE INFORMATION**

Mail Stop – PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Petition and Request is being filed pursuant to the provisions of 37 CFR §1.183 and as outlined in the Office Communication that was mailed on May 21, 2008, which Communication was issued response to Applicant's Request for Certificate of Correction (RCC) and Certificate of Correction (COC) under 37 CFR § 1.323 and accompanying documents, mailed March 12, 2008, in the above-identified case. Copies of the RCC, COC, and accompanying documents originally mailed March 12, 2008, as well as Notices of Recordation of Assignment evidencing the recordation and submission date of each assignment recorded for each rightful Assignee of the subject patent, are supplied herewith. The Commissioner is hereby authorized to charge Applicant's Deposit Account Number 010535 for the fee(s) set forth in 37 CFR 1.17(h) and/or 1.17(i) in connection with the filing of this Petition and Request. Since this Petition and all accompanying papers are being filed electronically, no duplicate copies are provided.

Applicant hereby requests suspension of the rules under the provisions of 37 § CFR 1.183 in order to allow Applicant the opportunity to correct an inadvertent omission, which occurred without deceptive intent, of the names of two rightful co-assignees from the face of the above-identified patent. Specifically, The Government of the United States of America, as represented by the Secretary, Department of Health and Human Services and the Board of Regents, The University of Texas System, were inadvertently omitted as co-assignees in the Form PTOL-85B that was filing on September 29, 2006, in connection with payment of the issue fee for the subject patent. Applicant notes that the real and frame numbers where the assignments are recorded are, respectively, 017036/0674 and 017036/0693, and that the assignments were recorded prior to the issuance of the above-identified patent.

Because the names of these two co-assignees were not, and cannot be, provided in accordance with either section 3.81(a) or 3.81(b), Applicant respectfully requests suspension of rule 37 CFR § 3.81, such that the assignee information for the subject patent may be corrected. Further, Applicant requests that the Request for Certificate of Correction under 37 CFR. § 1.323, the Certificate of Correction under 37 CFR. § 1.323, and supporting documents, which were filed on March 12, 2008, copies of which are supplied herewith as evidence, may be entered and granted.

Additionally, as outlined in the Office Communication that was mailed on May 21, 2008, in response to Applicant's Request for Certificate of Correction (RCC), which Request was mailed March 12, 2008, Applicant hereby requests that the file for the subject case be forwarded to the Certificates of Correction Branch for issuance of a Certificate of Correction upon grant of Applicant's Request under CFR § 1.183, and in light thereof. Applicant notes that the fee for the submission under 37 CFR. § 1.323 on March 12, 2008, was already paid.

No additional fees are believed due for this submission. However, if any additional fees are due in connection or may become due in connection with the filing of this Petition, Request, or accompanying documents, the Commissioner is hereby authorized to charge payment of any such fees to Applicant's Deposit Account No. 010535 referencing Docket No. 1311US-CON. Additionally, the Commissioner is hereby authorized to charge payment or credit overpayment of any fees during the pendency of this application to Applicant's Deposit Account No. 010535.

Date: November 3, 2008

Respectfully submitted,

AMYLIN PHARMACEUTICALS, INC.

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